

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:09CR00274 RWS (AGF)
)	
ARAM RAMIREZ-AYON,)	
)	
Defendant.)	

ORDER

This matter came before the Court on May 19, 2009, for a hearing on Defendant's Motion to Reconsider the Defendant's Age and to Dismiss the Indictment. [Doc. #46]. Pretrial matters were assigned to the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(b). The government opposed Defendant's motion, and filed electronic copies of certain documents showing a date of birth of Defendant of September 10, 1989, such that Defendant would be 19 years old. [Doc. #49]. Defendant was present, and represented by his attorney, Edward K. Fehlig. The government was represented by Assistant United States Attorney Dean R. Hoag.

At the hearing, after being advised of his right to have an evidentiary hearing on the motion to reconsider and to dismiss the indictment, and also of his speedy trial rights under 18 U.S.C. § 5036, Defendant withdrew the motion previously filed on his behalf, and knowingly and voluntarily waived his right to proceed on the motion to reconsider as well as the motion to dismiss based on speedy trial grounds. Through counsel, Defendant acknowledged that he is in fact nineteen (19) years old, and he knowingly and voluntarily

waived his right to assert any speedy trial rights or other rights based on his prior assertion that he was in fact a juvenile. Defendant also requested that the portion of the Order previously entered by Judge Mummert that required that Defendant be housed as though he were in fact a juvenile, pending the receipt of further documentation, be vacated.

Accordingly,

IT IS HEREBY ORDERED that Defendant's Motion to Reconsider the Defendant's Age and to Dismiss the Indictment be withdrawn. [Doc. #46].



AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE

Dated this 19th day of May, 2009.